

the Senate amendment will make clear to the Europeans that the United States will not tolerate unfair, discriminatory restrictions on trade that go against international principles and standards.

For those who are not familiar with the issue, I will provide a brief background. To comply with international aircraft noise standards, the U.S. aviation industry adopted so-called hushkit technology to bring its older aircraft into compliance. Some airlines also purchased new engines for their older aircraft. Even though these hushkitted and re-engined aircraft comply with the new international noise standard, the EU took legislative action to freeze the number of these aircraft within the EU Community at the 1999 level. Although the EU delayed final implementation of this rule for one year, this move has the effect of setting a more stringent noise standard in Europe.

Unfortunately, implementation of this rule is likely to have a discriminatory and costly impact on the United States aviation industry without any noise reduction benefits. The fact that this rule does not have a similar effect on industries in the EU is troubling. It is my understanding that certain aspects of the rule were tailored to protect European aviation interests. But one of the worst aspects of this rule is the terrible precedent that it sets for unilateral action by countries or groups of countries outside of the established international standards-setting process.

Earlier this year I wrote to European officials to express my deep frustration with their having chosen this particular, unilateral course of action to address the issue of aircraft emissions. Regulations such as the one at issue should be taken through the appropriate international channels, such as the International Civil Aviation Organization. Adoption of this rule by the EU has effectively breached a 50-year regime of global environmental rules in aviation.

A regional rule such as this one will undermine the ability of lesser-developed nations, the aerospace industry, airlines, and the United States to work toward international standards for more stringent aircraft engine emissions, which is the purported rationale for the EU rule. I sincerely hope that the EU will come to realize the benefits of a single, rational aviation regime for all nations.

The delay in implementation of the rule was granted as a result of a U.S. commitment to work in partnership with the EU within the established international process to develop a new, more stringent global aircraft noise standard. Since its adoption, the Federal Aviation Administration has been working bilaterally with representatives of the European Commission to develop an agreement to work in partnership on resolving this matter to everyone's satisfaction.

Despite the ongoing consultations, and regardless of the delay in imple-

mentation of the rule, U.S. industry is being negatively impacted right now. Because the hushkit rule is on the books, the market assumes that the rule will eventually come into effect. This has had a profound impact upon many businesses. So it is important that this matter be resolved soon.

The Europeans must understand how important it is that the considerations of the United States are taken into account with respect to this matter. If progress is not made in the near future, calls for taking strong action against the EU will grow. As a committed proponent of free trade, I am adamantly opposed to the EU rule. For the same reason, I do not support inappropriate retaliation on the part of the United States in this matter. Despite my opposition, however, the U.S. may in fact retaliate, which could do harm to businesses and consumers on both sides of the Atlantic.

Whether retaliatory in nature or not, the U.S. has many tools at its disposal to address the matter if the EU proves to be intractable in its position. For example, the United States Trade Representative is considering preparation of a World Trade Organization case focusing on the discriminatory aspects of the rule. Northwest Airlines has filed a complaint with Department of Transportation asking for retaliatory measures. Most recently, the U.S. aviation industry has asked the government to take official action under the so-called Chicago Convention, which governs many aspects of international aviation, claiming that the EU rule is not in compliance with international standards.

I do not want this issue to become the subject of a trade war. But if the EU fails to grasp the determined opposition of the U.S. aviation industry to this rule, there may be serious repercussions. I hope that this Sense of the Senate will begin to get the message to the EU that this issue cannot remain unresolved for too much longer. ●

RECOGNITION OF RASCHELLE FREEMAN, 5TH GRADE TEACHER

● Mr. GORTON. Mr. President, as the Senate debates education issues and initiatives, too often we talk in the form of numbers and statistics rather than concrete examples of excellence or success in our schools. A 5th grade teacher in the town of East Wenatchee, Washington has come to my attention for her exemplary service to her school, Lee Elementary, and to her community. Her name is Raschelle Freeman and I am pleased to present her with my Innovation in Education award.

Ms. Freeman's list of accomplishments is certainly impressive. This year she was chosen as the Washington state recipient of the prestigious Christa McAuliffe Fellowship. Last January she was one of 100 teachers nationwide to receive the Presidential Award for Excellence in Mathematics Teaching. This national recognition re-

flects the respect and admiration of those who work with Ms. Freeman each day.

The Assistant Superintendent of the Eastmont School District, Ms. Beverly Jagla, says Ms. Freeman is the "most effective" educator she has ever met—"She is energy personified." Ms. Jagla further emphasized Ms. Freeman's dedication as a member of the faculty team at Lee Elementary as well as her great skill at mathematics instruction; a talent so considerable that Ms. Freeman leads workshops for superintendents, administrators, principals, and other teachers around Washington state that emphasize "best practices" for successful math education.

Lee Elementary's former Principal, Ms. Kathy West, noted that in her 22 years in education she has never encountered a teacher who excelled in every instructional area. For example, this past year Ms. Freeman's class put on a major theater production, complete with music and costumes, that was so impressive students from other schools were bused in to see a performance. Ms. West also noted that 12 hour days are the norm for Ms. Freeman as she juggles her many pursuits. In addition to the time spent educating her students and peers, Ms. Freeman spends countless hours writing grant applications to bring more money and resources to her school district.

The final testament to Ms. Freeman's devotion is the choice she made with the \$34,000 McAuliffe Award. The funds are intended to allow the recipient to take time away from teaching to further his or her own continuing education. Ms. Freeman, however, chose to give the money to her school's Science Math with Accountability and Responsible Technology (SMART) project. The SMART program integrates reading, technical writing, math, science, and technology into an innovative model that will be used to improve the learning of students throughout Lee Elementary.

I have long been a supporter of greater flexibility for local educators. It is educators like Raschelle Freeman that demonstrate local communities really do know best. The Federal Government should provide more flexibility to promote the work of educators like Ms. Freeman. I am proud to present her with my Innovation in Education Award, and I hope my colleagues will join me in recognizing her accomplishments. ●

MEASURE PLACED ON CALENDAR—S. 1427

Mr. GORTON. Mr. President, I understand there is a bill at the desk due for its second reading.

The PRESIDING OFFICER. The clerk will state the bill.

The legislative clerk read as follows:

A bill (S. 1427) to authorize the Attorney General to appoint a special counsel to investigate or prosecute a person for a possible violation of criminal law when the Attorney